

EXHIBIT 28

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL) MDL No. 2804
PRESCRIPTION OPIATE)
LITIGATION) Case No.
1:17-MD-2804
THIS DOCUMENT RELATES TO) Hon. Dan A.
ALL CASES) Polster
)

Monday, May 13, 2019

HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
CONFIDENTIALITY REVIEW

Videotaped Deposition of JAMES E.
RAFALSKI, held at Weitz & Luxenburg PC, 3011
West Grand Avenue, Suite 2150, Detroit,
Michigan, commencing at 9:20 a.m., on the
above date, before Michael E. Miller, Fellow
of the Academy of Professional Reporters,
Registered Diplomate Reporter, Certified
Realtime Reporter and Notary Public.

GOLKOW LITIGATION SERVICES
877.370.3377 ph | fax 917.591.5672
deps@golkow.com

1 BY MR. NICHOLAS:

2 Q. Are you able to tell -- well,
3 you wrote on your report on page 46, and we
4 read this already, that you had been asked to
5 identify the number of opioid pills that
6 entered Cuyahoga and Summit Counties
7 unlawfully, and then you went on to say it's
8 an impossible task, right? Page 46, first
9 full paragraph.

10 A. Yes.

11 Q. Okay. Are you able to tell us
12 the correct number of pills that should have
13 been shipped into Cuyahoga and Summit
14 Counties lawfully?

15 A. No, sir, I cannot provide that
16 information -- or did I calculate that
17 information or --

18 Q. Do you have any sense of it at
19 all?

20 A. Well, I'm supportive of my
21 opinion, and that's the failures by the
22 registrants during the time period was a
23 significant contribution to diversion and the
24 amount of pills. But to put a calculated
25 number, I can't do that. My methodology has

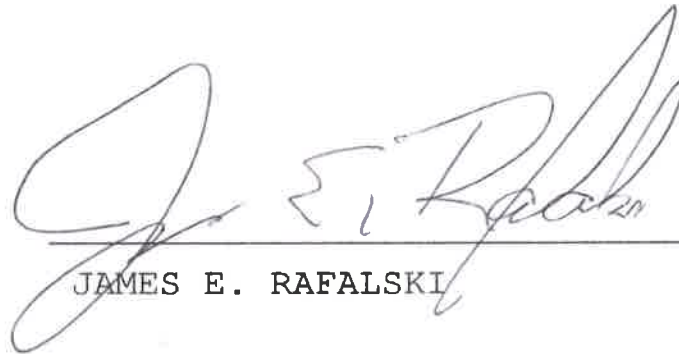
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1	ERRATA		
2	PAGE	LINE	CHANGE
3	<u>564</u>	<u>11</u>	<u>1.5 TO .15</u>
4		REASON:	<u>CORRECT STATEMENT</u>
5	<u>564</u>	<u>12</u>	<u>6.5 TO .65</u>
6		REASON:	<u>CORRECT STATEMENT</u>
7	<u>565</u>	<u>3</u>	<u>1.5 / .65 TO .15 / .65</u>
8		REASON:	<u>CORRECT STATEMENT</u>
9	_____	_____	_____
10		REASON:	_____
11	_____	_____	_____
12		REASON:	_____
13	_____	_____	_____
14		REASON:	_____
15	_____	_____	_____
16		REASON:	_____
17	_____	_____	_____
18		REASON:	_____
19	_____	_____	_____
20		REASON:	_____
21	_____	_____	_____
22		REASON:	_____
23	_____	_____	_____
24		REASON:	_____
25			

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ACKNOWLEDGMENT OF DEPONENT

I, JAMES E. RAFALSKI, do hereby
certify that I have read the foregoing pages
and that the same is a correct transcription
of the answers given by me to the questions
therein propounded, except for the
corrections or changes in form or substance,
if any, noted in the attached
Errata Sheet.


JAMES E. RAFALSKI

6/12/19
DATE

Subscribed and sworn to before me this
12th day of June, 20 19.
My commission expires: 8/7/19


Notary Public

